UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/578,672	05/25/2000	Cynthia A. Donovan	1112	7186

30748 7590 07/27/2010

INNOVATION PARTNERS
540 UNIVERSITY AVE.
SUITE 300
PALO ALTO, CA 94301

EXAMINER	
MIRZA, ADNAN M	

ART UNIT	PAPER NUMBER
2445	

MAIL DATE	DELIVERY MODE
07/27/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/578,672
Filing Date: May 25, 2000
Appellant(s): DONOVAN ET AL.

Charles E. Gotlieb
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 05/10/2010 appealing from the Office action mailed 08/03/2007.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences, which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of the amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of invention contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

6,985,953	**Sandhu**	**01-2006**
6,606,708	**Devine**	**07-2003**

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-31 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al (U.S. 6,985,953) and Devine et al (U.S. 6,606,708).

As per claims 1,14 Sandhu disclosed a method of processing a first request for web page, comprising: receiving the first request for the web page (col. 3, liens 12-18) ***The process is initiated when an Internet or Intranet user (e.g., "http client) sends a transmission requesting certain information, e.g., request for an Http file from a Http server;.***

However Sandhu did not disclose in detail transmitting, to a device from which the first request was received, at least one command to send a second request for the web page, and a first timestamp.

In the same field of endeavor Devine disclosed, "Upon receipt of the request, the cookie jar service request, the cookie jar service "marks" the session record with a time stamp indicating the most recent time the client communicated to the server using the heart beat (col. 21, lines 23-26). Failure to "heartbeat" for consecutive predefined period, e.g., one hour would result in the expiration of the session key (col. 21, lines 47-48). ***One ordinary skill in the art at the time of the invention knows that session key contains the time stamp and these session key can be predefined for certain time period. Therefore the when the same client sends a second request containing the session key it will check for the expiration time stamp as long the time stamp is valid and not expired the server processes the second request otherwise it clears the request. In***

the case of the second, third and fourth request they all get processed as long it contains the same session key meaning having the same valid time stamp.

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have incorporated Upon receipt of the request, the cookie jar service request, the cookie jar service "marks" the session record with a time stamp indicating the most recent time the client communicated to the server using the heart beat. Failure to "heartbeat" for consecutive predefined period, e.g., one hour would result in the expiration of the session key as taught by Devine in the method and system of Sandhu to provide secure network system and also reduce cost and latency by predefining the time period for authentication.

3. As per claims 2,15 Sandhu-Devine disclosed wherein the transmitting step is responsive to an existence of a second timestamp received with the request (Devine, col. 19, lines 63-67 & col. 20, lines 1-7).

4. As per claim 3,16,28 Sandhu-Devine disclosed comprising the additional steps of: identifying a third timestamp; and responsive to the second timestamp received with the request, processing the request for the web page responsive to the second timestamp and the third timestamp (Devine, col. 19, lines 63-67 & col. 20, lines 1-7).

5. As per claims 4,17 Sandhu-Devine disclosed wherein the identifying the third timestamp step is responsive to a capacity of at least one selected from at least one server and a device coupled to the at least one server (Devine, col. 19, lines 40-46).

6. As per claims 5,18 Sandhu-Devine disclosed incrementing at least one of a plurality of counters responsive to the first request (Devine, col. 19, lines 63-67 & col.20, lines 1-7).

7. As per claims 6,19 Sandhu-Devine disclosed wherein each of the plurality of counters corresponds to a range of time different from the other plurality of counters (Devine, col. 21, lines 47-48).

8. As per claims 7,20 Sandhu-Devine disclosed wherein the identifying the third timestamp step is additionally responsive to at least one of the plurality of counters (Devine, col. 19, lines 20-28).

9. As per claims 8,21 Sandhu-Devine disclosed comprising the additional steps of receiving a notification of abandonment of at least one selected from the first request and the second request; and decrementing at least one of the plurality of counters (Devine, col. 21, lines 47-48)

10. As per claims 9,10,22,23 Sandhu-Devine disclosed wherein the identifying the third timestamp step comprises sending a command to at least one selected from at least one server and a device coupled to the at least one server (Devine, col. 21, lines 26-35).

11. As per claims 11,24 Sandhu-Devine disclosed wherein the transmitting step is responsive to a type of the first request (Devine, col. 19, lines 20-24).

12. As per claims 12,25,30 Sandhu-Devine additionally comprising transmitting computer readable program code devices configured to cause a computer to send the second request responsive to the indicator transmitted (Devine, col. 20, lines 48-63).

13. As per claims 13,26,31 Sandhu-Devine disclosed wherein the computer readable program code devices configured to cause the computer to send the second request responsive to the indicator transmitted comprise at least one selected from a Java script and a Java applet (Devine, col. 3, lines 1-9).

14. As per claim 27 Sandhu-Devine disclosed a user request router having an input coupled to an apparatus input operatively coupled for receiving the first request, the user request router for providing at an output a signal responsive to the first request received at the user request router input (Devine, col. 24, lines 44-55); and a cookie/applet generator having an input coupled to the user request router output for receiving the signal, the cookie/applet generator for providing a first output coupled to an apparatus output a first indicator of at least one time to send a second request for the web page (Devine, col. 25, lines 32-46).

15. As per claim 29 Sandhu-Devine disclosed wherein the cookie/applet generator provides at a second output a third indicator of time corresponding to the first indicator of time, the apparatus additionally comprising: a stroke count storage for having an input coupled to the cookie/applet generator third output for receiving the third indicator of time (Devine, Devine, col. 19, lines 63-67 & col. 20, lines 1-7), the stroke count storage for storing the third indicator of time and a set of fourth indicators of time and for providing the third indicator of time and the set of fourth indicators of time at an input/output; and a cutoff timestamp calculator having an input operatively coupled for receiving an indicator of capacity (Devine, col. 21, lines 23-26 & col. 21, lines 47-48), the cutoff timestamp calculator for selecting and providing at an output a timestamp from the set of fourth indicators of time responsive to the capacity; and wherein the user request router additionally comprises a cutoff timestamp input coupled to the cutoff timestamp calculator output and the user request router provides the signal additionally responsive to the timestamp received at the cutoff timestamp input (Devine, col. 24, lines 44-59).

(10) Appellant's arguments:

A. Appellant argued that prior art did not disclose," a command to a computer from which a request for a web page has been received to send another request for the web page.

As to appellant's argument Devine disclosed , "Upon receipt of the request, the cookie jar service request, the cookie jar service "marks" the session record with a time stamp indicating

the most recent time the client communicated to the server using the heart beat (col. 21, lines 23-26). Failure to "heartbeat" for consecutive predefined period, e.g., one hour would result in the expiration of the session key (col. 21, lines 47-48). ***One ordinary skill in the art at the time of the invention knows that session key contains the time stamp and these session key can be predefined for certain time period. Therefore the when the same client sends a second request containing the session key it will check for the expiration time stamp as long the time stamp is valid and not expired the server processes the second request otherwise it clears the request. In the case of the second, third and fourth request they all get processed as long it contains the same session key meaning having the same valid time stamp".***

B. Appellant argued that Devine did not disclose, "Sending time stamp to the client".

As to appellant's argument Devine disclosed,

Furthermore, the cookie jar **352** is used to manage heartbeat transactions. Heartbeat transactions, as described above, are used to determine session continuity and to identify those processes which have died abnormally as a result of a process failure, system crash or a communications failure, for example. During a customer session initialization, the cookie jar **352** generates a session id and sets up "heartbeat" transactions for the customer's session. Subsequently, a heartbeat request is typically sent from a process running on a client platform to the Web server **344**, when a connection is established, as shown at **448**. The Web server **344** connects to the cookie jar **352** and requests heartbeat update for a given session. The cookie jar **352** searches its stored list of cookies, identifies the cookie for the session and updates the heartbeat time. The cookie jar **352** then sends the Web server **344** the updated status heartbeat as shown at **450**. The Web server **344** then sends the status back to the client platform process, also as shown at **450**.

(col. 19, lines 30-48).

C. Appellant argued that there is no rationale for the showing the reference is obvious.

As to appellant's argument Examiner asserted the pre-authentication time stamp method to reduce cost by using the updated time stamp that result in using less memory and bandwidth and also time.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

Respectfully submitted,

/Adnan M Mirza/

Examiner, Art Unit 2445

July 15, 2010

Conferees

/VIVEK SRIVASTAVA/
Supervisory Patent Examiner, Art Unit 2445

/Patrice L Winder/
Primary Examiner, Art Unit 2445